IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.APPLICATION NO.906 OF 2006
IN
CRI.APPEAL NO.783 OF 2003

Babasaheb Bapu Gavade ..Applicant

Vs.

The State of Maharashtra ..Respondent

Sudatta Patil Advocate for applicant
A.R.Patil A.P.P. for respondent-State

CORAM: SMT.RANJANA DESAI &
SMT.V.K.TAHILRAMANI,JJ.

DATE : SEPTEMBER 29, 2006

P.C.

1. The applicant-appellant is the accused in Sessions Case No.209 of 2002. He was charged for offences punishable under Sections 302, 392 and 201 read with Section 34 of IPC. He has been sentenced to life imprisonment. Earlier application made by the applicant for bail, has been rejected on merits on 22nd September, 2003. In the present application, the appellant is seeking temporary bail. It is stated in the application that the

appellant's father died on 27th July, 2006. It appears that almost the entire family is in jail in connection with the same offence for which the appellant is convicted. The appellant has therefore, prayed that he may be given temporary bail as his aged mother is sick. In the circumstances of the case, in our opinion, the appellant should be released on temporary bail of two weeks on condition that he should report to Wadgaon Police Station, Kolhapur on every alternate day. Hence, we pass the following order:-

ORDER

1) The appellant-applicant Babasaheb Bapu Gavade is ordered to be released on temporary bail of two weeks in the sum of Rs.10,000/- (Rs.Ten thousand only) with one or two sureties to make up that amount.

2) While on bail, the appellant shall report to Wadgaon Police Station, Kolhapur on every alternate day.

3) On expiry of period of two weeks, the appellant shall surrender to Kalamba Jail.

4) Needless to say that the period of two weeks will start after the appellant is released on bail pursuant to this order.

5) Criminal application is disposed of.

[SMT.RANJANA DESAI, J.]

[SMT.V.K.TAHILRAMANI,J.]